

REMARKS

Claims 1-30 are pending. By this Amendment, claims 1, 10, 14-18 and 21 are amended.

Claim Rejections Under 35 USC § 112

Claims 1-29 were rejected as being indefinite based on the phrase in claims 1, 10, and 21 requiring the membrane to be “sealingly affixed to the body portion in an outer sealing band.” In response, the independent claims have been amended to clarify that the membrane is affixed to the body portion along both the outer sealing band and a cross sealing band, with all other portions of the membrane being free from attachment to the body portion. Applicant submits that these clarifying amendments serve to particularly point out and distinctly claim the subject matter of the invention and accordingly overcome the rejection. As a result, Applicant respectfully requests that this rejections be withdrawn.

Claim Rejections Under 35 USC § 103

Claims 1-10 and 12-29 were rejected as being obvious over Schwarz et. al. ‘414 in view of Lake et. al. ‘409. Claim 11 was rejected as obvious over Schwarz et. al. ‘414, in view of Lake et. al. ‘409, in further view of Lima et. al. ‘056. Applicant respectfully traverses these rejections in light of the amended claims.

In the venting device of the claimed invention, the membrane member is attached to the body portion along sealing bands both surrounding vent holes in the body portion and crossing the body portion with all other portions of the membrane being free from attachment to the body portion. This arrangement reduces the unsupported span of the membrane in order to better resist rupture from surge loads relative to a membrane attached only at the periphery, while leaving the bulk of the membrane surface area free for venting.

In contrast to the claimed invention, Schwarz et. al. '414 is silent on the arrangement for attaching the membrane and instead appears to rely on a separate "surge protection element 14" for surge protection. Lake et. al. '409, if anything, seems to suggest attaching the membrane to the entire surface of the vent body. Such an approach, however, limits the available area of the membrane to the cumulative area of the vent apertures themselves and greatly reduces the available membrane surface area and resultant capacity of the vent. Hence, the cited references, considered individually or together, do not teach or fairly suggest all elements of the claimed invention and hence, cannot render it obvious. As a result, Applicant respectfully requests that these rejections be withdrawn.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bradley J. Thorson", written over the printed name.

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